

OTW

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jorge Alberto VILLALOBOS-Bahena,

Defendant

Magistrate Docket No.

08 MAY 19 AM 10:10  
08 MJ 1550COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **May 16, 2008** within the Southern District of California, defendant, **Jorge Alberto VILLALOBOS-Bahena**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.




---

SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF MAY, 2008




---

Anthony J. Battaglia  
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**  
Jorge Alberto VILLALOBOS-Bahena

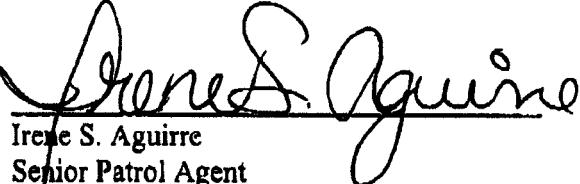
### PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On May 16, 2008, at approximately 9:00 A.M., Border Patrol Agent J. Rambo and Supervisory Border Patrol Agent J. Sylva were conducting line watch duties near Potrero, California. Agents Rambo and Sylva responded to a citizen's call near an area known as the "Chicken Ranch". This area is located approximately five miles east of the Tecate Port of Entry and approximately 15 miles north of the United States/Mexico International Border. Undocumented immigrants commonly use this area to further their entry into the United States. Upon arrival into the area, Agents Rambo and Sylva spotted a large group of individuals north of their location. Agents Rambo and Sylva approached the 32 individuals and identified themselves as United States Border Patrol Agents and questioned each subject as to his or her citizenship. All subjects, including one later identified as the defendant Jorge Alberto VILLALOBOS-Bahena, admitted to being citizens of Mexico, illegally present in the United States. All subjects were arrested and taken to the Tecate Processing Center for further processing.

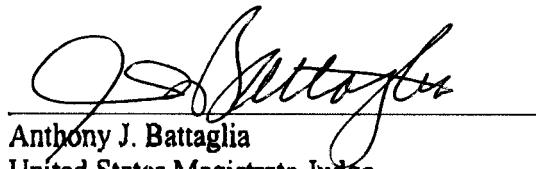
Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on October 27, 2007 through El Paso, Texas. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on May 17, 2008 at 10:00 a.m.



Irene S. Aguirre  
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on May 16, 2008, in violation of Title 8, United States Code, Section 1326.



Anthony J. Battaglia  
United States Magistrate Judge

5/17/08 12:05 pm  
Date/Time